



## Wivenhoe Town Council

**MINUTES** of the Estates Committee meeting held on Wednesday 31 May 2023 at 7.30pm **Chair Approved**

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**Present:** Cllr Aldis (Chair), Cllr Multon, Cllr Boughton, Cllr Maltby, Cllr Guy, Cllr Burke, Jo Beighton-Emms, Town Clerk, Jim Young (Open Spaces Manager) and 25 members of the public.

### Public Questions:

#### Wivenhoe Chickens

1. Charlotte Mills spoke to the councillors about the need for a new location for the Wivenhoe chickens. They are currently located at the Station Pub car park but need to be moved. She suggested the Sensory Garden as a permanent location. Charlotte said that the group look after the chickens and that there would be minimal noise. Cllr Aldis said that the Committee would like to support the group but would need to consult with the neighbouring properties and get back to Charlotte. Cllr Burke said that she would have concerns for the chickens, but Charlotte said that a new enclosure would be built and that this would be secure. Cllr Aldis asked Charlotte to provide the size of area needed for the new enclosure. Charlotte left the meeting.

#### Oak tree in the High St Car Park

2. Given the number of members of the public in attendance to make representations on this matter the Chair allowed 40 minutes for discussion and 3 persons to speak.

Mark Halladay summarised the 4 key areas identified by the Biodiversity Working Group and Wivenhoe Society as:

- The importance of WTC obtaining an independent opinion
- The offer from a local resident to raise funds for an independent opinion to be obtained.
- If the tree were to be felled, the Biodiversity WG would like to help with mitigation.
- Could WTC give proper consideration to opportunities and risks when managing its estates.

Cllr Aldis explained that in 2019 WTC acknowledged a climate emergency and pledged to aim to be carbon neutral by 2030. Also, that the environment is considered in every council decision made. Cllr Aldis said that the offers of support were welcome.

Philip George said that everyone is not only concerned about the tree but also about the resident whose home is subsiding. He said that his concerns were that:

- WTC should take independent advice.
- There was photographic evidence from December 2022 showing no root damage to drains.
- Have other causes been considered eg drainage, the proximity to the railway or local bus traffic.
- Could root trimming be considered.

Cllr Aldis said that pollarding had been suggested to reduce the water uptake and he was happy to also ask about cutting back the tree roots.

Terry Garland is a retired architect who submitted an FOI request to WTC for the reports from the insurers.

He had reviewed the reports and felt that they raised a number of questions, such as the level monitoring which in his view shows greater movement on the railway side and no evidence of a bore hole. Also, the roots located could be from shrubs and not trees, and cracks could be caused by the movement of manholes to the drainage system. He also had concerns regarding the readings from the monitoring stations. He summarised his concerns as:

- Is there clay shrinkage.
- Could another tree be causing damage.
- What movement evidence was there since the last reading taken.
- The accuracy of the level monitoring.

Cllr Aldis confirmed that the last reading WTC has had sight of was from October 2022 and that the roots found were from 'general vegetation'. WTC could consider all cost-proof options first and it needs to be remembered that the homeowner concerned is suffering. WTC is aware of the issues around heave, but that the roots would remain in the ground. A modern version of a tree root barrier could be considered.

Cllr Aldis said that the next steps would be to gather further information and he welcomed a summary in writing from Terry Garland of any new information which could assist in going back to the insurers. WTC could seek advice from NALC although a lengthy court battle must be avoided. There is time as the tree cannot be felled until the autumn after the nesting season. WTC have been looking at the matter for 18 months already and any decisions have not and will not be taken lightly. WTC would need to find an expert who has the appropriate gravitas for another survey to be conducted which could cost up to £10k. WTC's liability is removed if the tree is felled. Further contact with the insurers is the next step. Cllr Burke said that WTC would love to keep the tree but that it has a responsibility to all residents and manages a budget.

21 members of the public left the meeting.

	PART A
E05.23.01	<u>Apologies for absence:</u> Cllr Evans and Andy Hearn (Properties Manager)
E05.23.02	<u>Declarations of Interest:</u> None
E05.23.03	<u>Election of the Chair and Deputy Chair:</u> Cllr Burke proposed that Cllr Aldis is elected as Chair of the Estates Committee. This was seconded by Cllr Multon, with all in favour. Cllr Burke proposed that Cllr Multon is elected as Deputy Chair of the Estates Committee. This was seconded by Cllr Maltby, with all in favour.
E05.23.04	<u>Minutes of the previous meeting:</u> The minutes of the meeting held on 29 March 2023 were proposed by Cllr Multon, seconded by Cllr Maltby, and approved as an accurate record of proceedings.
E05.23.05	<u>Estates Team Reports:</u> The committee considered a previously circulated Open Spaces Report which is attached as <b>Appendix A</b> .  Jim confirmed that in his view the best location to offer for the chickens would be the

	<p>Jubilee Garden.</p> <p>The councillors discussed the closure of a railway crossing gate. Jim was unaware who had instructed this.</p> <p>The committee considered a previously circulated Properties Report which is attached as <b>Appendix B</b>.</p> <p>The councillors confirmed that no agreement is to be offered at present for the Coffee Cart business.</p>
E05.23.06	<p><u>Insurance Claim- Tree on High St Car Park. Update from the Chair: (See above)</u></p>
E05.23.07	<p><u>KGV Dog Walking area- Update from Cllr Multon:</u></p> <p>Cllr Multon reported that he has received emails regarding the dog walking area and the issue of dogs being allowed off lead on the playing field. Further signage is unwanted. What has come to light is that the dog walking area is not fit for purpose- the area is not fenced off and the ground is very uneven. Cllr Burke agreed and said that it is difficult to police the playing field when the council cannot promote the current dog walking space. Jim explained that the area used to be a dump which is why the ground is uneven. He is not sure what can be done. It was agreed that further discussion will take place to look at options for the site.</p>
E05.23.08	<p><u>Fisherman's Store: Request for a prospective tenant:</u></p> <p>The Town Clerk explained that she has been contacted by a member of the public who was making enquiries about using the Fisherman's Store for a café. It was agreed that this should be explored as the current tenant is not using the site to its full potential. Cllr Aldis agreed to contact the member of the public to discuss her plans further and gather further information.</p>
E05.23.09	<p><u>Garage on Parkwood Ave- Update from the Chair:</u></p> <p>Cllr Aldis reported that WTC has been approached by CCC regarding the sale of a garage and offering WTC an option to purchase it. He recommends that WTC makes the purchase as the garage could be used for storage. There is a tree next to the garage which could cause an issue but its possible removal can be discussed with the homeowner. It was agreed that Cllr Aldis and Cllr Boughton would make a site visit and speak to the homeowner before the deadline set for a response to CCC of 14 June. Mark Halladay asked what WTC's responsibility is for the ecological stock in Wivenhoe regarding mitigation. Cllr Aldis</p>

	responded that the council's responsibility and powers relate to WTC owned land only
E05.23.10	<p><u>Methodist Church- Update from Cllr Multon:</u></p> <p>Cllr Multon reported that he and the Town Clerk had met with Philip Bingham from the Methodist Church. The church is being under utilised and they needed to raise more revenue. They wanted to know if WTC could help by allowing use of the WTC facilities booking system and help to promote use of the church. The church is concerned that it may have to close and be sold and wanted to know if WTC were interested in purchasing. A further update will be provided at the next meeting. (Jim Young left the meeting.)</p>
E05.23.11	<p><u>Chapel Museum- Sub Committee: Report from Cllr Multon:</u></p> <p>Cllr Multon reported that the museum is open once again and that he will be taking a step back from the group whilst he is Mayor. It was agreed that Cllr Aldis and Cllr Maltby would manage the sub-committee. It was agreed that Cllr Aldis would speak to the appropriate officer from CCC regarding items loaned to WTC and about the handling of certain artifacts.</p>
E05.23.12	<p><u>Allotments- Report from the representative:</u></p> <p>Cllr Maltby reported that she had attended the allotment inspection on 10 May. A number of letters to plotters were sent following this inspection.</p>
E05.23.13	<p><u>Old Cemetery Wall WG-Update from the Chair to seek agreement to proceed with a survey with trial bore holes and design for works quotation (previously circulated)</u></p> <p>Cllr Aldis reported that a quotation had been received from a company called Charter Build to carry out a survey, trial bore holes and create a design plan for repairs. The cost quoted is £4360. The instruction to proceed with these works was proposed by Cllr Multon, seconded by Cllr Guy, with all in favour.</p> <p>The Town Clerk will contact the company.</p>
E05.23.14	<p><u>Council Properties &amp; Open Spaces: To receive updates:</u></p> <ul style="list-style-type: none"> <li>a) <u>Council Offices &amp; Yard</u>- Mark Halladay asked if the Biodiversity Group could work on a design for the front garden. Cllr Aldis agreed.</li> <li>b) <u>Police Houses</u> – No further update</li> <li>c) <u>William Loveless Hall</u> -No further update</li> <li>d) <u>Pavilion</u>- - Request from the tenant for works to be carried out by them to</li> </ul>

	<p>the entrance porch and walkway (previously circulated). Andy Hearn had conducted a site visit and had recommended that the works could go ahead. This was agreed by the committee.</p> <p>e) <u>KGV</u>- No further update</p> <p>f) <u>Cemeteries</u>- No further update</p>
E05.23.15	Date and time of the next meeting: It was agreed that the next Estates Committee meeting will be held at 7.30pm on Wednesday 19 July 2023.

The Chair closed the meeting at 21.25.

## Appendix A

### Open Spaces Manager's Report

1. He is now planting in the Sensory Garden. The construction works are complete.
2. He is obtaining quotes for resurfacing areas of the KGV play area.
3. The old skate park will be dismantled the week beginning 17 April ready for works to start on 24 April.

## Appendix B

### Estate's Properties Report

#### **WLH**

Annual gas safe checks booked in for 20<sup>th</sup> March.

Front office relocation to lobby.

#### **Council Offices**

The building has been emptied; refurbishment works underway.

#### **Car Park and toilets**

Annual electrical inspection now complete.

Potholes are to be filled this month as weather conditions improve.

#### **Police Houses and shop**

Replacement windows complete.

#### **Pavilion**

63amp power supply to field being researched and quoted for to allow for coffee cart and future lighting for KGV footpath and outdoor events.

#### **Yard and Outbuildings**

Pedestrian access to outbuildings only, minibus relocated to WLH carpark.

***Cemetery chapel and toilet***

Old cemetery wall has been made safe after collision, bricks are being cleaned ready for storage.  
Awaiting insurance Asser.

***Fisherman's store***

Electrical test failure due to remote power pole, one quote received (£1880) awaiting second.

***Quay shelter***

Nothing to report.

**Miscellaneous**